

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK**

KARIN KEEGAN,

Civil Action

Plaintiff,

No. 10-CV-266

v.

Judge Glasser

Magistrate Judge Bloom

DELTA AIR LINES, INC., and  
JET BLUE AIRWAYS,

Defendants.

**JURY TRIAL DEMANDED**

**MOTION TO WITHDRAW APPEARANCE**

Attorneys Samuel J. Cordes and Christine T. Elzer, and the law firm Stember, Feinstein, Doyle, Payne & Cordes, LLC, pursuant to Local Civil Rule 1.4, move to withdraw their appearance in this action, and in support state the following:

1. Plaintiff, by undersigned counsel, originally filed this action under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-2(a), in the United States District Court for the Western District of Pennsylvania on January 16, 2009.
2. On May 20, 2009, upon motion by Defendant Jet Blue Airways (“Jet Blue”), the District Court for the Western District of Pennsylvania entered an order transferring this action to this Court. On January 22, 2010, the action was transferred to this Court.
3. On February 12, 2010, this Court granted Attorney Cordes’ motion for leave to appear pro hac vice. [Doc. 32]. On February 17, 2010, On February 17, 2010, the Court granted Attorney Elzer’s motion for leave to appear pro hac vice. [Doc. 33].
4. On April 9, 2010, Jet Blue” filed a motion to dismiss. The next day, Defendant Delta Airlines, Inc. (“Delta”) also moved to dismiss.

5. On April 29, 2010, undersigned counsel opposed both Defendants' motions to dismiss.

6. On May 5, 2010, Delta filed a reply brief in support of its motion to dismiss. On May 18, 2010, Jet Blue also filed a reply brief.

7. On May 20, 2010, Ogoro N. Francis, Case Manager to the Honorable I. Leo Francis, emailed all counsel of record, inquiring about their availability for oral argument on the motions to dismiss.

8. On May 24, 2010, after consulting with all counsel, Mr. Francis scheduled the hearing on the motions to dismiss for June 25, 2010 at 10:00 am. However, no Order of Court has yet been entered regarding the hearing.

9. As further explained in the Affidavit of Samuel J. Cordes attached hereto as Exhibit 1, Ms. Keegan no longer wishes to be represented by Attorneys Cordes and Elzer. Attorneys Cordes and Elzer therefore move to withdraw their appearance prior to the final scheduling of a hearing on the motions to dismiss.

10. Permitting Plaintiff's attorneys to withdraw will not prejudice or unduly delay resolution of these proceedings. The motions to dismiss and responses thereto have been fully briefed, and no argument date has yet been definitively scheduled. Moreover, no discovery has yet taken place. Thus, any new counsel Plaintiff chooses to obtain will have ample time to prepare for this litigation.

11. Plaintiff's attorneys also move for a 60-day continuance of the hearing on the motions to dismiss to allow Plaintiff time to retain new counsel.

WHEREFORE, Attorneys Samuel J. Cordes and Christine T. Elzer, and the law firm Stember, Feinstein, Doyle, Payne & Cordes, LLC respectfully move to withdraw from representation of

Plaintiff Karin Keegan, and further move for a 60-day continuance of the hearing on the motion to dismiss.

Respectfully submitted,

**Stember Feinstein Doyle Payne & Cordes**

/S/ Samuel J. Cordes

Samuel J. Cordes

Christine T. Elzer

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Attorneys for Plaintiff

**CERTIFICATE OF SERVICE**

I hereby certify on this 28<sup>th</sup> day of May, 2010 I served a copy of the foregoing ***Motion to Withdraw Appearance*** via electronic mail upon the following:

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/S/ Samuel J. Cordes  
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Samuel J. Cordes